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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marvin Clumpus
Project Coordinator
Manville Service Corporation
P.O. Box 5108
Denver, Colorado 80217

RE : Johns-Manville Haulage Disposal Facility
Special Notice of Potential Liability

Dear Mr. Clumpus:

The United States Environmental Protection Agency (U.S. EPA) has documented the release or threatened release of hazardous substances, pollutants and contaminants at the above referenced Facility, and is planning to spend public funds to undertake remedial actions to control the release or threatened release at the Facility. Unless the U.S. EPA determines that a potentially responsible party (PRP) will properly and promptly perform such action, the U.S. EPA will itself perform such action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, (CERCLA), 42 U.S.C. Section 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986, Public Laws 99-499 (SARA). The U.S. EPA has information that you may be a PRP. Therefore, pursuant to Section 122 (e) of SARA, the purpose of this letter is to notify you of your potential liability with respect to the above referenced Facility. According to Section 107 of CERCLA, PRPs who may be liable include the current and former owners or operators of the Facility, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of them at the Facility.

Pursuant to Section 122(e)(1) of SARA, the U.S. EPA has determined that a period of negotiation will facilitate an agreement with you. Upon your receipt of this Special Notice, you will have a maximum of 60 calendar days to present to U.S. EPA a "good faith" proposal including a definite start date and time lines for implementing and conducting the remedial design and remedial action to control the release or threatened release of hazardous substances, pollutants, and contaminants at the Facility.

During a 60 calendar day period, beginning on the date of receipt of this Special Notice letter, the U.S. EPA will not commence the Remedial Design Remedial Action (RD/RA) at the Facility. If you provide the Agency with a written "good faith" proposal with a definite start date and time line for implementing the RD/RA at the Facility and if this proposal is received by the Agency within the 60 calendar day period, the U.S. EPA will extend their moratorium on commencement of the RD/RA work an additional 60 calendar days. The purpose of this additional time is to allow the PRPs and the Agency adequate time to finalize a settlement.

To further facilitate your ability to present a "good faith" proposal within the 60 day time limit, U.S. EPA would like to schedule a conference in the Region V office at your earliest convenience. Please contact Brad Bradley at (312) 886-4742 to arrange a date and time for the conference. At the time of the conference a Draft Order and an RD/RA Scope of Work will be distributed.

Except in extraordinary circumstances explained in a written request, no extension to this 60 day period will be considered by the Agency. If a "good faith" proposal is not received within 60 calendar days, the U.S. EPA, pursuant to Section 122(e)(4), will proceed to perform the RD/RA utilizing public funds available to the Agency. This Special Notice does not preclude the Agency from performing other actions under Section 104(b) of CERCLA as modified by SARA.

If you are already involved in discussions with Site or local authorities, are engaged in voluntary action, or are involved in a lawsuit involving this Facility, you may continue such activities. This letter is not intended to advise or direct you to restrict or discontinue any such activities, however, you are advised to report the status of those discussions or actions in your proposal to the Agency and also to provide a copy of your proposal to any other parties involved in those discussions or actions.

Under Section 106(a) of CERCLA, potentially responsible parties may be ordered to implement relief action deemed necessary by U.S. EPA to protect the health, welfare or the environment from an imminent and substantial endangerment because of an actual or threatened release of a hazardous substance from a Facility.

Under Section 107(a) of CERCLA, potentially responsible parties may be liable for costs incurred by the government, through the use of public funds, in responding to any release or threatened release from the Facility. Such costs can include, but are not limited to, expenditures from planning, investigation, studies, clean-up, and enforcement.

Your written response to this request should be sent to:

Mr. Brad Bradley
U.S. EPA - Region V
Waste Management Division
CERCLA Enforcement Division
230 South Dearborn Street -5HE-12
Chicago Illinois 60604

Please have your attorney direct his or her questions to Larry Johnson of the Office of Regional Counsel, U.S. EPA, Region V, at (312) 353-2094.

If you need further information regarding this letter, you may contact Mr. Brad Bradley of the CERCLA Enforcement Section at (312) 886-4742.

By a copy of this letter, the Agency is notifying the State of Illinois and the Natural Resources Trustee of our intent to enter negotiations for Remedial Design/Remedial Action at this Facility.

The Agency strongly encourages you to take immediate steps to familiarize yourself with the Facility conditions and negotiate an agreement with U.S. EPA to conduct the RD/RA. We hope that you will give this matter your immediate attention.

Sincerely yours,

Basil Constantelos, Director
Waste Management Division

bcc: D. Caplice, SMS, 5HR-11/
B. Bradley, CES, 5HE-12
L. Johnson, ORC, 5C-16
Natural Resources Trustee, DOI
Kurt Neibergall, IEPA - Springfield
Neil Hartigan, Illinois Attorney General
Illinois Natural Resources Trustee